

DEC 12 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROMAN YURYEVICH ANTONOV,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-76264

Agency No. A75-752-234

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted December 5, 2005^{**}

Before: GOODWIN, W. FLETCHER, and FISHER, Circuit Judges.

Roman Yuryevich Antonov, a native and citizen of Russia, petitions for review of the Board of Immigration Appeals' order adopting and affirming an immigration judge's ("IJ") order denying his applications for asylum, withholding

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

of removal, and relief under the Convention Against Torture. We have jurisdiction pursuant to 8 U.S.C. § 1252. Reviewing for substantial evidence, *Lata v. INS*, 204 F.3d 1241, 1245 (9th Cir. 2000), we deny the petition for review.

The IJ provided specific and cogent reasons for finding Antonov not credible. *Chebchoub v. INS*, 257 F.3d 1038, 1045 (9th Cir. 2001). Accordingly, Antonov has failed to show eligibility for asylum or withholding of removal. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003). Antonov's CAT claim fails because it is based on the same evidence that the IJ concluded was incredible. *See id.* at 1157.

PETITION FOR REVIEW DENIED.